



DENTAL BOARD OF CALIFORNIA

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Legislation Committee Meeting
Thursday, January 26, 2006
South San Francisco, CA
Minutes

Members Present:

Alan Kaye, DDS, Chair
George SooHoo, DDS
Lewis Turchi, DDS

Member Absent:

David Baron, Public
Tricia Osuna, RDH

Staff Present:

Robert Hedrick, Executive Officer
Donna Kantner, Regulations Analyst
Greg Salute, Deputy Attorney General
LaVonne Powell, Legal Counsel

The meeting was called to order at 11:50 pm. And a quorum was established.

Agenda Item 6.1 Update on Legislation

Executive Officer Hedrick reported on the current status of bills of interest to the Board:

SB 248 – This bill extending the Board's Sunset date to January 1, 2009 was signed into law by the Governor on October 7, 2005.

SB 299 – This bill allowing expansion of the licensure by credential program has passed and was enrolled on January 19, 2006. Staff is working on a fiscal impact analysis.

SB 438 – This bill would allow dentists to perform elective facial cosmetic surgeries under a permit. A required occupational analysis is due in approximately 60 days.

SB 683 – Also known as PGY-1, this bill would allow postgraduate candidates to be granted licensure after meeting specified education and residency requirements and successful completion of a national exam and the California law and ethics exam. This bill is currently on the Assembly inactive file.

AB 205 – This bill updating Denture Identification became law on September 30, 2005.

AB 319 – This bill relating to components used in children's products may have unintended impacts to the dental profession. It remains in the Assembly.

AB 929 – This bill relating to radiology technology had no impact on the dental profession and became law on September 30, 2005.

AB 1077 – This bill supporting Dental Exams for School Children is supported by the Board.

AB 1143 – This bill regarding Special Permits became law on October 5, 2005 and staff is working on implementation.

AB 1268 – This bill would require that a dentist advertising as a specialty practitioner must list a disclaimer if the ADA does not recognize that specialty.

AB 1334 – This bill regarding the RDHAP Scope of Practice in May, the Board took a position of support if amended, and the requested amendment will be transmitted to the

author with a letter of explanation if approved by the Board. The Committee agreed that this be done by the Executive Officer.

- AB 1386 – This bill regarding Oral Conscious Sedation became law on October 10, 2005. Executive Officer Hedrick reported that staff is implementing the provisions of that bill while pursuing regulations that will provide for full implementation.
- AB 966 – This bill proposed to mandate amalgam separators in all dental offices, however new amendments should minimize the amount of amalgam released into the wastewater stream without requiring the installation of separators in each office. Hedrick noted that it is somewhat of a stretch from the Board's core function of consumer protection to an oppose position on this bill. He felt it prudent for the Board to consider consumer impact and the operation and functions of the Board before any other concerns. He urged the board to consider carefully before taking a position on any bill.

Cathy Mudge, CDA, agreed with the Executive Officer's assessment of SB 683. She noted that AB 1077 is a dead bill, since it needed to move from the Assembly by January 30, 2006, and is not expected to do so. CDA remains committed to the concept of dental exams for school children and will seek similar legislation again. She reported that CDA remains opposed to AB 1334 as premature. She thanked the Board for its efforts in the regulatory process for AB 1336, noting that staff has done a great job in moving those regulations quickly. She apologized for the problems in timing and hoped to work more closely with Board staff when co-sponsoring any future legislation to prevent such problems by taking the regulatory process into account. She noted that AB 966 is being amended, and she appreciated his comments about not taking a position on this bill, since CDA will also wait for the amendments to be printed to take any position. She noted that AB 1268 will probably move soon, and a disclaimer will be required for any non-recognized specialty.

AGENDA ITEM 6.2 - Other Bills of Interest to the Board – none.

AGENDA ITEM 6.3 – Update on Regulations

Executive Officer Hedrick reported the status of current regulatory actions:

Section 1043 – General Anesthesia and Conscious Sedation - filed with OAL on 1/11/06.

Section 1044 – Oral Conscious Sedation – Amended language to this Section for minor patients is currently under review by DCA. Additional language pertaining to Oral Conscious Sedation for adult patients will be heard in March.

Section 1079.2 – RDHAP Licensure – The Board approved modified language at its November meeting, and a 15-day notice was done.

Section 1005 – Infection Control Guidelines – Regulations are required to be reviewed annually.

Executive Officer Hedrick noted that the WREB regulations are on two tracks, one is at Agency for review, the regular filing is scheduled for hearing tomorrow.

Public Comment

None.

The meeting adjourned at 12:05 pm.